

## RFQ 600-09-601

### Energy Commission American Recovery and Reinvestment Act: Measurement, Verification, Evaluation and Reporting

#### Questions and Answers

1. ***We are a certified DVBE with risk management and MV&E experience. Will there be an opportunity to get an attendee or contact list so that a prime bidder can contact us or we can contact them to partner with us?***

A list of Pre-Bid attendees and WebEx participants was posted with Addendum #1. The Energy Commission did not request bidders to identify whether they wanted to be prime contractors or sub-contractors so this information is not available. Additionally, this solicitation is also available on the Department of General Services e-procurement website [www.bidsync.com](http://www.bidsync.com). This website includes a section of Contractor Advertisements which is available to interested parties.

2. ***Attachment 3.4, DVBE Bidder Declaration Form, asks for the corresponding % of bid price for the subcontractor, so far we don't have a contract amount for this proposal, do we have to make a pledge for whatever the contract amount that we agree to during our negotiation or can we put N/A (to be negotiated) on the form?***

The available funding for the proposed contract is \$4.1 million so the resulting contract will be written for that amount. You will use that as your base contract amount to determine what percentage of the amount you are committing to use the DVBE.

We will not be negotiating the amount of the contract. We will be negotiating the labor rates and any other determined costs.

3. ***If a subcontractor qualifies under the DVBE incentive which merits extra points, will those extra points be awarded or does the DVBE have to be the Prime Contractor in order to qualify for the extra points. Can you describe how that works, is it based on the number of employees.***

The DVBE incentive points are based on the team. If the proposer is submitting an SOQ as a Prime with a team of subcontractors, they are evaluated as a team and receive their scores as a team, therefore the DVBE incentive is applied to the total score.

In order to become a certified DVBE you must be formally certified by the Department of General Services, Office of Small Business and DVBE Certification. Additional information on how to become a certified DVBE is available at <http://www.pd.dgs.ca.gov/smbus> or in attachment 3.1 of the solicitation documents.

4. ***Concerning eligibility, is there any set aside consideration for the Federal level Small Business Administration program, including 8(a) or Disadvantage Businesses?***

This solicitation does not provide for any Small Business preference programs neither at the Federal level nor at the State level.

**5. Please ascertain whether CFR Title 40 applies to this Federal Government assisted project and additionally whether there is a requirement for a Disadvantaged Business Program process.**

Title 40 of the CFR is broad and addresses a number of federal programs and requirements overseen by the U.S. EPA. If you are referring just to NEPA compliance, this is addressed in the solicitation by restricting ARRA funding for any project that would adversely affect the environment without having appropriate NEPA determination(s) from U.S. DOE first. This information is found in Attachment 6, Standard Agreement Example, Standard terms and conditions, Exhibit E (Federal Provisions) Section J & Attachment 4 to Exhibit E which requires bidders to certify to compliance with NEPA and other national policies.

Secondly, certain ARRA-funded programs reward projects that target Economically Disadvantaged Areas (EDAs). The Guidelines for the State Energy Program emphasize targeting EDAs with funding under the Municipal Financing Program and the California Comprehensive Residential Building Retrofit Program, and lists the extent to which a bidder's program is designed to create jobs and enhance the economy in EDAs as a criterion upon which the proposals will be evaluated for funding under these programs. However, because this solicitation is for services statewide, targeting EDAs is not relevant to this RFQ.

**6. Is the Energy Commission asking for only a prime contractor to respond to the RFQ, or should the prime contractor include additional subcontractors, as needed?**

The Energy Commission is asking for either a Prime Contractor (as a single Contractor) or a Prime Contractor (as a lead Contractor) with a team of subcontractors to respond to this RFQ. A single Firm/Company, and not a group of representatives from different companies, must submit a Statement of Qualifications (SOQ) as the Prime Contractor. If a proposer will rely on any subcontractor to complete any task or provide any required expertise, they must be identified in the SOQ. For example, if you are a Prime Contractor with a team of subcontractors you would submit one SOQ under the Prime's name that includes all of the information required within the solicitation document and the required information pertaining to your team of subcontractors.

**7. What classifies one as a prime contractor and a sub?**

The awarded contract will be between the Prime and the California Energy Commission. The Prime Contractor will be responsible for all contract administrative duties, directing team members in all contract provisions and participating in technical work assignments. The Prime will manage all of the activities of the sub and be responsible for paying the subs.

There is additional information in Attachment 6, Exhibit D of the solicitation documents.

**8. I see that the Energy Commission wants two electrical engineers and four mechanical engineers for this project and others. After reading the SOW there are other qualified individuals that can perform some of these services. Please explain!**

Some of the work can be done by non-engineers, and this contract should involve more than 6 people. We expect engineers to oversee work of non engineering staff, serve as consultants to other contractor staff and to handle the more complex tasks.

**9. *What is the basis of the emphasis on the engineering expertise that you require? Is it because you anticipate large commercial and industrial projects? Residential evaluations tend to need statisticians and economists rather than engineers.***

There may be some industrial process reviews. The bulk of work is probably building retrofits. There will be a large number of installations. We are assuming for more innovative or complicated situations that engineer expertise will be extremely useful in being able to properly monitor and evaluate what is going on. We also assume that the contractor may use their evaluators to provide advice and consultations to other staff members who may be less technically adept in engineering, but have other background needed for this contract.

**10. *At what point do the rates get submitted to the Energy Commission? Is it during negotiation time? Can you leverage options without seeing the rate? Would you rate your first choice, second choice before seeing the contractor's rates?***

Because the Energy Commission is requesting a statement of the qualifications (SOQ), please do not submit your cost information with your SOQ.

First, all SOQs are evaluated on technical merit, the SOQ will be reviewed and evaluated by the evaluation committee, per the evaluation criteria in the solicitation document. After the SOQs are scored they will be placed on a list, in rank order, with the highest scoring SOQ placed first and the remainder in descending order.

Once the Energy Commission posts the notice of selection, the Energy Commission and the representative of the "number one" ranked team will begin cost negotiations. The top ranked Firm will be required to submit a list of rates after written notification of selections. We will send the cost forms to the Firm at that time. If negotiations with the top ranked Firm fail, the Energy Commission will enter in to negotiations with the next highest ranked Firm, and so on.

The Energy Commission has done a market survey at different classifications to arrive at the rates that we are willing to accept.

**11. *Will metering equipment be supplied by the Energy Commission or by the MVE&R Contractor?***

The Contractor has a choice either to supply their own equipment or to use the contract funds to purchase the equipment within the terms and conditions outlined in the agreement. We recommend/prefer that the Contractor provides its own equipment. If the Contractor uses contract funds for needed equipment, then the equipment will become the property of the State of California. At the end of the contract, the Energy Commission is allowed some flexibility in dispensation of equipment and may, for example, sell the equipment back to the contractor. Attachment 6, page 18 of 78, of the RFQ discusses equipment terms and conditions.

Equipment needed to perform work should be identified and if equipment needs to be purchased then it must be specified within the work authorizations and comply with the terms and conditions of the agreement.

**12. Can the MVE&R Contractor rent their own equipment to Energy Commission?**

Cost, including cost for equipment, is not included in your Statement of Qualifications. We ask the Contractor to identify any costs they see appropriate at the time of negotiations.

**13. Because of the broad potential categories, a wide range of different kinds of equipment may be necessary. If we are successful and are the number one ranked team, should we have an equipment inventory and proposed lease rate ready to go? I assume that we should be prepared for the negotiations with personnel rates as well as the equipment lease rates.**

Yes, you should be thinking about all your costs. If you are number one, then it is better if all your costs are already identified and can be submitted to us quickly.

**14. Will the successful contractor be required to comply with the state employee travel restrictions and submit all the travel forms?**

Yes, the successful Contractor will be reimbursed at the same rates provided to non-represented state employees. The specific required documentation is included in the terms and conditions, Attachment 6, page 6 of 78, paragraph 4 Travel and Per Diem Rates.

**15. Would tasks such as site visits, metering or monitoring be subject to the Davis Bacon act?**

We do not anticipate any of the tasks under this RFQ, including on-site monitoring, energy audits or post-installation inspections, being classified as “construction by laborers or mechanics” as defined by federal prevailing wage laws. If, however, you are proposing tasks as part of your monitoring, validation or evaluation that would fall into this federal definition, you would be responsible for compliance with the Davis-Bacon Act.

**16. Currently, we’re doing some feasibility studies for some small cities that probably will be used as a basis for a grant application to the Energy Commission. Does that mean we are disqualified for this application?**

The Energy Commission issued Addendum #2 to the RFQ which addresses this issue and articulates the rationale for the need for clear separation of duties between the Prime Contractor lower-tier contractors selected under this RFQ and the Prime and Subcontractors for other ARRA-funded projects that will be monitored, validated and evaluated by the Prime Contractor and its team. In accordance with Addendum #2, whether or not a bidder for a Prime Contractor is disqualified will be based upon your ability of to demonstrate that there is no financial conflict of interest, and that there is a clear separation between the individuals involved in the development and implementation of the MV&E tasks under this RFQ and those involved in the development and implementation of the ARRA-funded projects carried out by the small jurisdictions.

**17. If we participate in the block grant or other ARRA programs, can we still participate in this contract? Is any kind of participation disallowed?**

As stated above in the answer to question #16, the Energy Commission issued Addendum #2 to the RFQ to articulate the rationale for the need for clear separation of duties between the Prime and lower-tier contractors under this RFQ and the Prime and Subcontractors for other ARRA-funded projects that will be monitored, validated and evaluated by the Prime Contractor and its team. In its application, the bidder for Prime Contractor must disclose

the facts and circumstances of the participation of any team member in any other project funded by the Energy Commission under ARRA and demonstrate that there is no financial conflict of interest and that there is a clear separation between the individuals involved in the development and implementation of the MV&E tasks under this RFQ and those involved in the development and implementation of the ARRA-funded projects carried out by the small jurisdictions.

**18. *If we are a potential contractor on the ARRA Program Support Services contract (RFP #150-09-101) issued in November, can we still qualify for the MVE&R contract? What if you are a subcontractor?***

Addendum #2 directly addresses this question. The Energy Commission seeks separate and distinct Prime Contractors for these two solicitations. If a bidder wins the award under the ARRA Program Support Contract they will be eliminated from bidding on the RFQ. You may bid on both but you may not be awarded both. Whether or not an applicant may be selected as a Prime Contractor under one contract and a subcontractor under the other depends on the facts and circumstances, as noted above.

**19. *If we are submitting a proposal for the block grant or an SEP award, since they will be awarded at the same time as this contract is awarded do you have any suggestions on how we make Committee aware of that? How would you know if you have a conflict of interest prior to learning if you were granted an award for either the block grant or any other program?***

Addendum #2 directly addresses this question. The bidder for Prime Contractor is responsible for disclosing the facts and circumstances of any situation where there may be a potential conflict of interest or insufficient separation of duties.

The Energy Commission is responsible for the Energy Efficiency and Conservation Block Grants for small jurisdictions. If you were involved with one of those jurisdictions, you would know by now how much funding they will receive, as that information is published, and we assume you know if your firm is involved.

The discussion in the solicitation addendum addresses the issue of your participating as a bidder in projects funded through the Energy Commission. If you are part of an application for a competitive block grant that should not conflict as the Energy Commission is neither administering, monitoring or evaluating those efforts.

For the State Energy Program, the proposals were due on Monday, December 21, 2009, therefore, you should know if you participated in those proposals.

**20. *On page 18 of the statement of work, deliverables 3A and 3B are discussed. What is the Energy Commission intending?***

The work of the MVE&R contractor will build up from several levels. The “lower” level evaluations will be to see if, at the measure level or the site level, the ARRA award recipient achieved the impacts that they “promised” in their award agreement. So they should be evaluated relative to both the no project and the self-reported project impact baselines. The program level evaluation will be to see what impacts the program as whole achieved. The cost-effectiveness metric helps evaluate that impact relative to other potential choices.

The MVE&R contractor should develop a reliable approach to the tasks. The approach must be rigorous and capable of accurately assessing impacts. The approach should be designed to fit within the evaluation budget without budget overruns, and should be conducted at the highest possible level of research rigor within that budget.

**21. *Do you have any idea of the distribution of the Energy Commission's ARRA funded projects? Where would projects be located and what is the number of projects?***

The MVE&R contractor will evaluate the energy efficiency conservation block grant program, a number of programs funded through state energy program, and the appliance rebate program. The program descriptions can be found on the energy Commission's website at: <http://www.energy.ca.gov/recovery/index.html>.

The energy efficiency conservation block grant program will issue 250-300 grants to small jurisdictions throughout the state. The grants range between \$826,271 and \$25,000. They are distributed in both urban and rural areas. The full list is available on page E1-2 of the EECBG Small city and County Grant Program grant solicitation and application package.

In regards to the other programs, it is not clear how large the awards will be or what the distribution of recipients will be.

The Energy Commission released a three part RFP to provide up to \$95 million in State Energy Program (SEP) funds for energy programs. Local jurisdictions, non-profits or private organizations can create partnerships and apply for program funding under a competitive solicitation process for three different areas: the California Comprehensive Residential Building Retrofit Program, the Municipal and Commercial Building Targeted Measure Retrofit Program, and the Municipal Financing Program. These programs encourage existing residential and commercial building energy efficiency (and water efficiency) retrofits. Onsite solar electric generation may be eligible if installed in conjunction with energy efficiency measures. We are expecting at least 100 to 150 applications under SEP funded programs but we don't yet know how many recipients there will be or how they will distributed statewide.

The MVE&R contractor is going to identify how to evaluate the programs and may recommend sampling (probably stratified or risk-based sampling). Auditing and evaluating every funding recipient may not be feasible given the budget. The first and third tasks of the MVE&R contract are to develop the plans to measure, verify and evaluate the projects funded in a way that leads to replicable, reliable and unbiased findings. We recognize that, for example, MV of a \$25,000 award that say replaces T-12 lights with T-8 lights might be less important than MVE of a very large contract that incentivizes a more unproven technology. The MVE&R contractor should propose how to identify the award recipients that have the highest risk and how to mitigate that risk though M&V. We want to make sure there's transparency. Also, we want to make sure that we statistically have a good understanding of how the programs are performing at the aggregate level.

**22. Please describe the small jurisdictions discussed previously. Are these small cities or power providers or entities that make a profit?**

These are small cities and counties, for example, cities with a population under 35,000 and counties with a population under 200,000.

**23. The concepts of gross and net savings are not discussed in the work statement. Are these distinctions going to be relevant later in the MVE&R work? Does the Energy Commission want us to submit the gross findings or the net findings or do you want us to make a recommendation in our proposal?**

Gross savings must be presented and reported. Because we want to get replicable, unbiased and statistically valid gross impacts and because we want an emphasis on site visits and because the budget is limited, we wrote the RFQ to focus on gross impacts. If you can develop a statistically valid estimate of the percentage of ARRA recipients who would have implemented the projects even without the ARRA funds (to use to adjust the gross savings downward) without compromising the validity of the gross impacts, then we will definitely consider that when evaluating your proposal.

**24. Is there a statutory reporting requirement from DOE or another entity regarding how many annual reports have to be done on January 1?**

DOE requires monthly reporting. OMB is requiring us to report quarterly. As ARRA funding recipients, the Energy Commission, with information from the MVE&R contractor will have to report to federal agencies on the status of the funds and their effort. The MVE&R contract will produce reports to the Energy Commission. Task 5 of the RFQ's statement of work lists several deliverables which include quarterly and annual reports on MVE&R. The Scope of Work, page 20 of 43 in the RFQ calls for two annual reports and a final report.

**25. What fraction of grants or loans will have already been awarded before we start work? If they are installed it is difficult to get baseline data.**

The Energy Efficiency and Conservation Block Grant Small City and County Grant program will be the first program started. For this program, there may be some installations underway or completed. There won't be large ones that would have gotten very far. Many of these projects, because of the size of the grant, are going to be relatively limited projects. They are going to be installation of the equipment from the list that we provide in the guideline.

The more complex projects are going to be undertaken under the SEP portion of the overall ARRA program. Proposals are due December 21; we expect around 110 proposals. These probably won't get installed at the time when this contract final. The awards for the SEP program, \$110 million, will occur at the business meeting in the March timeframe. The award for the MVE&R contract is at about the same time.

**26. Will the evaluators face the challenge of double dipping? For example, funding recipients might get an award from ARRA and an additional utility rebate or some other cash award from another organization?**

We have been working on a tracking database to keep track of various incentives. We will be tracking the multiple incentives received by our funding recipients. We haven't decided how to handle the attribution issue. The primary purpose of this is to present the gross result of the evaluation. However, we want it to be useful and realize there is an issue right now with attribution. Any progress to be made regarding attributing impacts of various other incentives would be favorable.

**27. Has the evaluation process started? Is staff working on scoring criteria for grants and loans from the ARRA programs? Are the evaluation criteria available on the website where we can look at it?**

We have been receiving applications for our small city and county Energy Efficiency and Conservation Block Grant program. For additional information please view our website: <http://www.energy.ca.gov/recovery/index.html>. The guidelines and application are both on the website. The deadline for the applications is January 12 and then we have to award at least \$29.8 million by March 14 (approved by the Energy Commission). That is for the smaller jurisdictions.

Larger projects will be funded under the SEP program, through 3 solicitations. Details can be found at the same web address. Proposals were due December 21. The Energy Commission received 105 proposals for these 3 solicitations. The final awards will be in the form of contracts.

The program guidelines, available on the web, include the scoring criteria for awarding these funds.

In terms of cost effectiveness, the SEP recovery Act Financial Assistance Funding Opportunity Announcement of March 12, 2009 published by USDOE specifies that "each state portfolio of projects should seek to achieve an annual energy savings of at least 10 million source BTUs for each \$1,000 of total investment." The Energy Commission used this criterion when developing both the SEP and the Block grant programs. While this criterion is a guideline, the evaluation reporting should include source BTUs per \$1,000 of total investment as well as per \$1,000 of ARRA funding received. The Energy Commission may wish to define other cost effectiveness tests as well, including cost per kWh or cost per therm saved for energy efficiency-focused programs.

The contractor will probably be responsible for monitoring and verification of employment and jobs program funding. The Commission is open to discussing the appropriate criteria for evaluating program impacts.



**28. How many of the projects will use deemed savings using standard published assumptions (such as in DEER database) and how many are what we refer to as custom projects, which each have their own assumptions?**

For the block grant program there is a direct install option where funding recipients can purchase equipment listed on Exhibit 2 of the EECBG Small City and County Grant Program guidelines. These projects can be evaluated using deemed savings. Technologies include: lighting upgrades (both interior/exterior lighting), some HVAC upgrades and other technologies that will be appropriate based on our experiences. Block grant recipients also have the option to define custom projects but they must provide a feasibility study.

The SEP funded programs will be custom projects. No prescribed method of deemed savings such as DEER is specified in these solicitations. Bidders for SEP awards will be evaluated on how they respond to these directives in their proposals:

*“Describe the data collection and computation methods required to calculate the energy savings and demand reductions from the residential retrofits resulting from the proposed program. Explain the activities that will be included in the program to verify, measure or estimate the actual energy savings and demand reductions due to the retrofits, for the purpose of ARRA SEP progress reporting. Provide details on the approach planned to collect and store utility billing data for at least twelve months preceding and twelve months following a building retrofit project”.*

The Municipal and Commercial Retrofit Program contains similar requirements.

We anticipate that the SEP program efforts relating to existing residential and non-residential constructions will result in a variety of program approaches, with some being new and creative. We are hoping that the evaluation of this program will provide us the opportunity to compare and evaluate a variety of program approaches and that it will be useful statewide in helping to determine what activities are most effective. Whatever data comes out, we will provide reports to the legislature and PUC, so everyone will have an opportunity to see how the programs worked, and what program elements appear to contribute to success.

**29. Is this what is called a real time evaluation? What is the timing and milestone to meet their implementations?**

We must have the projects completed for SEP by the end of March 2012 and we believe for the block grant by the middle of September 2012. All these are going happen in a very short period of time so the evaluation must be occurring as the projects are being implemented, so this could be called a real time evaluation. The contractor will be doing the monitoring and verification as they prepare for the evaluation. It's a challenging undertaking.

- 30. Statistical sampling may be a challenge because the flow of program implementation, programs tend to start slowly and then they speed up. Is there a chance that an evaluator will face a situation where 80% of implementations occur in the last year? Thus, the first annual report would have 10% of the implementations. If applicants have milestones that they must meet each quarter it helps to evaluate progress. If they don't have a milestone they have to meet between the time they get an award and the last time you write a check it is difficult. Please elaborate on the milestones applicants must meet for completing implementation.**

Under Time Criticality in the Program Requirements section, the ARRA SEP solicitations say this:

*Demonstrate that the requested ARRA SEP funding will be expended to complete all planned energy retrofits by March 31, 2012. Document the proposed plans to monitor implementation progress so that program resources can be adjusted as necessary to achieve the proposed retrofit savings by the March 2012 deadline. Provide a schedule from start of contract (assume start date of March 29, 2010) to March 31, 2012, that delineates progress reports, Critical Program Reviews and other program milestones. Include information and/or evidence that support this schedule. Provide details in the proposed Scope of Work that establish certainty that progress reports will be provided and Critical Program Reviews will be conducted so that resources can be reallocated by June 1, 2010, if necessary.*

We are also requiring an Implementation Plan as the first technical deliverable in the scope of work, therefore, we will have more detail about retrofit schedules a couple months into the programs.

For the block grant, the only 2 milestones we have right now are the date for 60% of funds committed by mid-March and project completion by mid-September 2012.

- 31. As part of the agreements made with ARRA funding recipients is there a clause stating that they must cooperate with the MVE&R contractor and monitoring evaluation efforts?**

Yes, we have included that in the contracts and grants.

The following language is part of the SEP award. *"In order to conduct the M&E survey, the retrofit program contractors will need to collect specific information from each program participant. The required data collection will be specified at a later date, but this data is likely to include participant address and contact information, building square footage, retrofit measures installed, retrofit costs, funding provided by the program and separately by other leveraged funding by source, and expected or measured savings. The evaluations may be conducted via mail, phone and/or field surveys and may also require pre-retrofit and post retrofit utility billing data".*

- 32. Concerning weekly, monthly, quarterly, annual reporting requirement, is there going to be a requirement from DOE for a dashboard report, one that the state could review on a weekly or daily basis? Is there a requirement that reporting be drawn down from that dashboard?**

The State of California recovery is developing a "dashboard" for its site. We will not be duplicating that effort, but most likely our information will be feed into it. Relating to this RFQ or program services and auditing support, we will be posting on the Energy Commission website to ensure consistency.

**33. *Is there a consistent system for keeping documentations? Who makes sure that there is consistency?***

We have a contract with Cambria Solutions, and they are developing a tracking database. ARRA funding recipients are required to report monthly or quarterly to the Federal reporting agencies. The reports will be generated through this database. There is a significant quantity of information that either the federal agencies or that the Energy Commission require. For example, we are asking funding recipients to let us know the site locations where projects will be installed. We recognize there is going to be a variety of skills at the recipient level that could affect how accurately and completely the database is populated. The Energy Commission project managers will be reviewing the data in the tracking system and will work with funding recipients on quality and completeness. We also hope to have collaborative interaction regarding the database between MVE&R contractor, support contractors and funding recipients that result in recommendations for tracking and for database populating. Right now we are establishing a basic system. We will have some flags where data in the database are inconsistent.

Cambria Solutions has been helping us develop an internal reporting system that interfaces with the State Chief Information Officer's reporting system. ARRA funding recipients must agree to retention and production of a lot of information, more than what we required in the past. There are likely to be unexpected issues for us as we go along. The MVE&R and the oversight contractor will have to work together on this issue and we anticipate that there will be opportunity for creative discussion and solutions for issues that come up.

**34. *Regarding the electronic data exchange requirement, will this be published so we know what reporting requirements to plan or propose for? Is there a roadmap so we know what to report? Can we find this out in advance or do we have to wait until we become the successful bidder? Do you have the time when the project will be complete or reach a milestone? Regarding the deemed savings estimates used, has any of that information been captured in the database development effort that is 95% complete?***

This relates to the tracking system we are developing with Cambria Solutions. I believe we will have information from the work we've been doing with Cambria that would be available to the MVE&R Contractor. We want the Contractor to have as simple of a time as possible. They should be able to read the report format we are using and have it take information developed from the MVE&R contract as well.

The system is 95% complete and will be in testing within the next couple of weeks. We plan to be use the information for the OCIO OMB 12 reporting cycle which is due to the Federal Government on January 10. Once the testing documentation is complete, we will make the system available to the successful contractor.

The reporting system which Cambria Solutions has been working on will report on the recipients estimated project savings.

The reporting system is directly aligned with the OMB reporting requirements and the requirement of DOE to the Energy Commission for funding awards. We recognize that some of our recipients for the awards may not have the sophistication or programming

experiences, therefore have created a very simple excel spreadsheet. It is a simple system and we are confident that any one of you can easily work with or manipulate it.

- 35. *In the RFQ, there is a flow chart with a footnote attached to the Green Jobs and Energy Assurance Planning programs indicating that they may be subject to less stringent MV&E than the other programs. Do you want us to propose an evaluation plan for each of these programs, either on the impact side or on some other metric of success that the contractor could propose that might be more relevant? Or do you feel strongly that energy impact on both of those should be evaluated in some way?***

In both cases if there are other criteria that potential MVE&R contractors would like to propose that would be good. Energy savings does not represent the primary goal of either of these programs.

- 36. *For really straightforward technologies, such as LED retrofits, how much do we really want to evaluate and test? Would the MVE&R contractor go on site to provide a status update on progress (maybe via a check list)? Would just checking for things like equipment purchased and installed or some other simple method be OK? Is that enough metric to qualify and show transparency on sampling or do you need spot checks on smaller jobs for credence?***

Some site visits for each of the programs is preferred, including the small jurisdiction block grant program. In those cases site visits might involve very simple procedures, but other projects will be more complicated. Whoever is getting the contract would develop a M&V plan that proposes to us what they believe is the proper mix of sample size, site visits and criteria for selecting the samples. We need to demonstrate that we are properly trying to mitigate risk with higher risk grantees or contractors and need assurance that that the equipment is installed properly and installed at all. We also want to evaluate projects' and programs' realization rate.

- 37. *On the evaluation, for a complete and working system usually an engineer is required to see that it is working. Is it enough for MV&E for an engineer to go on site and see that it works?***

If we understand the question correctly, the description you gave may work for the direct equipment purchase projects under the block grant program. There are a number of technologies from which applicants may choose to achieve project objectives. With more complicated projects, we assume there will be more steps involved than simply insuring the equipment is properly installed and functioning properly. In the statement of qualifications you need to ensure that your proposal explains how you will develop and implement measurements that are appropriately tailored for evaluating each of the projects that the Energy Commission is funding under ARRA, including more complex systems that involve more engineering in the evaluation.

The evaluation community has established a number of evaluation protocols that give substantial guidance on reliable evaluation approaches. These include the National Energy Efficiency Program Impact Evaluation Guide of November 2007, the US DOE Impact Evaluation Framework For Technology Deployment Programs of July 2007, and the California Evaluation Protocols of April 2006. These documents provide guidance on establishing evaluation approaches that represent state-of-the-art evaluation approaches. The evaluation approach should be designed in a way that provides findings with the highest level of reliability achievable with the available research budget.

- 38. Will the contractor be supplied with ex-ante utility billing data or interval data on customers to use to develop a baseline? Are customers in the programs required to provide this data?**

ARRA award recipients, upon written request, are required to allow the Energy Commission or its agent to collect data needed to measure and verify savings and verify electricity and fuel reductions (this may include, but is not limited to, utility bills and metering data).

- 39. On Page 2 of the RFQ, there is a chart indicating that there may be another solicitation for a technical assistance contract which was also referenced in the previous program support services RFP. Do you have any information on that?**

At this time, Energy Commission has not decided whether we will go forward with the technical assistance solicitation.

**Do you know when Commission is going to make that decision?**

Probably within the next 30 to 60 days.